

ITEM: 12

SUBJECT: Harter Packing Company, Tut Brothers Farms, LLC, Lomo Cold Storage, A California General Partnership, Richland Ranches Ltd Of California, A California Corporation and Harter Tomato Products Company, Sutter County

- a. *Resolution approving Initial Environmental Study and Adopting a Negative Declaration for Expansion of the Harter Packing Company Wastewater Disposal Facility, Sutter County*
- b. *Consideration of revised Waste Discharge Requirements*

DISCUSSION: The Harter Packing Company processes tomatoes and peaches in Sutter County. Order No. 94-270 is being revised to include the addition of approximately 92 acres of process wastewater disposal area just north of Pease Road, near the intersection of Live Oak Canal and East Interceptor Canal. This disposal area is in addition to the existing 120 acres of agricultural land currently used by the facility for process wastewater disposal purposes. This revision will not result in a net increase in the volume of process wastewater to be disposed. At a maximum design flow of approximately 2.2 million gallons per day (mgd), the process wastewater is screened, passed through a dissolved air flotation (DAF) settling tank, and pumped to a standpipe for gravity flow to the 120 acres of on-site irrigation fields for disposal by flood. The treated process wastewater may also be discharged 12,700 feet through a 14-inch pipeline to the 92-acre additional disposal field for disposal by spray

irrigation.

Such action to expand the land application disposal area requires a revision of the Waste Discharge Requirements. As Lead Agency under the California Environmental Quality Act (CEQA), staff has also prepared an Initial Study and Negative Declaration for consideration of adoption by the Regional Board.

The proposed revised WDRs, Initial Study and Negative Declaration were originally placed on the agenda as an uncontested item for the 4 August 2000 meeting of the Regional Board. These items were removed from the agenda to provide additional time for staff to adequately review and respond to public comments received within the comment period on the Initial Study and Negative Declaration. Staff prepared additional revisions to the WDRs as well as written response to the timely comments received. Based on such actions, the items were re-noticed and placed on the uncontested calendar for the 15 September 2000 meeting of the Regional Board. As the date of the meeting approached, numerous verbal and written comments were conveyed to Regional Board staff. Many of these comments reflected concern and opposition to the project. Many requests were received for postponement of the hearing until a later date. Based upon such comments, the items were removed from the uncontested calendar and placed on the agenda as a contested item. Although the hearing for the items was initiated towards the end of the Board meeting, due to time constraints and the nature of the limited comments received during the meeting, the Regional Board decided to continue the hearing at the 27

October 2000 meeting to be held in Fresno.

The proposed Waste Discharge Requirements have been revised to address questions and comments received by staff from the Board, Harter Packing Company and the public since the 15 September Board meeting.

Surface water drainage is to Live Oak Canal and East Interceptor Canal, which are tributary to the Sutter Bypass, thence, the Feather River. [Sherry Constancio (916) 255-3048]

RECOMMENDATION:

- a. Approve Resolution approving Initial Environmental Study and Adopting a Negative Declaration, and
- b. Adopt revised Waste Discharge Requirements.

Mgmt. Review

Legal Review

27 October 2000
Fresno, California